

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF FLEET BUSINESS CREDIT, LLC F/K/A SANWA LEASING CORPORATION V. CITY OF ATLANTA FILED IN THE DISTRICT COURT FOR THE 52-4 JUDICIAL DISTRICT, CASE NUMBER 02-C00813-GC-01; STATE OF MICHIGAN, IN THE AMOUNT OF \$7,500; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT FROM FUND ACCOUNT CENTER NO. 1A01 525001 M23201; AND FOR OTHER PURPOSES

02- R-2112

WHEREAS, Fleet Business Credit, LLC f/k/a Sanwa Leasing Corporation ("Fleet") filed suit against the City in a Michigan Court alleging that the City owed Fleet past due lease payments and other charges for a Panasonic copier and associated equipment obtained and used by the Department of Public Works under an Equipment Lease with Fleet in an amount in excess of \$11,000;

WHEREAS, the City Attorney has investigated Fleet's allegations and determined that DPW has, in fact, no records in its files evidencing lease payments made by it to Fleet;

WHEREAS, Fleet has indicated its willingness to settle this case for \$7,500;

WHEREAS, accordingly, the City Attorney has determined that it is desirable and in the best interests of the City to settle this case for the amount of \$7,500, representing a compromise between the parties on past due lease payments and late charges;

WHEREAS, Fleet has agreed, in consideration of the settlement, to transfer to the City title to the Panasonic copier and associated equipment;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Attorney is authorized to settle the case of FLEET BUSINESS CREDIT, LLC F/K/A SANWA LEASING CORPORATION V. CITY OF ATLANTA FILED IN THE DISTRICT COURT FOR THE 52-4 JUDICIAL DISTRICT, CASE NUMBER 02-C00813-GC-01; STATE OF MICHIGAN, for the sum of \$7,500 and to accept from Fleet title to the Panasonic copier and associated equipment, in exchange for the Plaintiffs' execution and delivery to the City of a Final Payment and General Release, documents of title to the Panasonic copier and associated equipment and a filed Notice of Voluntary Dismissal With Prejudice.

SECTION 2. The Chief Financial Officer is authorized to pay the total sum of \$7,500 to Fleet Business Credit, LLC from Account No. 1A01 525001 M23201.